

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CURTIS WILLIAM WITMER,

Defendant.

CR 24-105-BLG-SPW-TJC

**FINDINGS AND
RECOMMENDATION OF
U.S. MAGISTRATE JUDGE**

The Defendant, by consent, appeared before me on March 18, 2025, under Fed. R. Crim. P. 11 for a change of plea hearing. Pursuant to a plea agreement, Defendant intended to enter a plea of guilty to the Indictment, which charges the crime of prohibited person in possession of a firearm, in violation of 18 U.S.C. § 922(g)(8). When asked to describe to the Court the acts he committed that justify his plea of guilty, Defendant did not acknowledge that he knowingly possessed the firearm at issue. Defendant then moved to vacate the change of plea hearing, and the Court granted Defendant's motion to vacate.

For reasons stated on the record of the hearing, IT IS RECOMMENDED that Defendant's motion to change his plea to guilty to the charge in the Indictment be DENIED.

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NOTICE OF RIGHT TO OBJECT

Objections to these Findings and Recommendation are waived unless filed and served within fourteen (14) days after the filing of these Findings and Recommendation. 28 U.S.C. § 636(b)(1)(B); Fed. R. Crim. P 59(b)(2).

DATED this 18th day of March, 2025.



TIMOTHY J. CAVAN
United States Magistrate Judge